

The Honorable Lauren King

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**
10 **AT SEATTLE**

11 STATE OF WASHINGTON, *et al.*

12 Case No. 2:25-cv-00244

13 Plaintiffs,

14 v.

15 DONALD J. TRUMP, in his official
16 capacity as President of the United States
17 of America, *et al.*,

18 Defendants.

19 UNOPPOSED MOTION OF DO NO
20 HARM, INC. FOR LEAVE TO FILE
21 BRIEF AS *AMICUS CURIAE* IN
22 OPPOSITION TO PLAINTIFFS' MOTION
23 FOR A PRELIMINARY INJUNCTION

24 Do No Harm, Inc., respectfully requests leave to file an *amicus* brief in opposition to
25 Plaintiffs' motion for a preliminary injunction. Counsel for both Plaintiffs and Defendants do
26 not oppose this motion. "The classic role of *amicus curiae* is to assist a court in a case of public
27 interest by supplementing the efforts of counsel, and generally courts have exercised great
 liberality in permitting amicus briefs." *El Papel LLC v. Inslee*, No. 2:20-cv-1323-RAJ-JRC,
 2020 WL 6158825, *1 (W.D. Wash. Oct. 21, 2020) (internal quotations omitted). Therefore,
 this Court has accepted amicus briefs from "public interest organizations" that "have
 demonstrated that they have an interest in the issues presented to the Court in plaintiffs' motion
 for preliminary injunction" and have submitted a brief that would "be helpful regarding the

1 potential public interest ramifications beyond the parties directly involved.” *Id.*; *see also*
 2 *Macareno v. Thomas*, 378 F. Supp. 3d 933, 940 (W.D. Wash. 2019) (“District courts may
 3 consider *amicus* briefs from non-parties concerning legal issues that have potential
 4 ramifications beyond the parties directly involved or if the *amicus* has unique information or
 5 perspective that can help the court beyond the help that the lawyers for the parties are able to
 6 provide.” (internal quotations omitted)).
 7

8 Do No Harm is a nonprofit membership organization that includes over 10,000
 9 physicians, nurses, medical students, patients, and policymakers. It is committed to ensuring
 10 that the practice of medicine is driven by scientific evidence rather than ideology. To that end,
 11 Do No Harm has submitted *amicus* briefs in multiple courts regarding the medical and surgical
 12 interventions at issue in this case, including *United States v. Skrmetti*, No. 23-477 (U.S.); *Poe*
 13 *v. Drummond*, No. 23-5110 (10th Cir.); and *Dekker v. Weida*, No. 4:22-cv-325-RH-MAF (N.D.
 14 Fla.). In addition, Do No Harm created a database tracking the number of minors who have
 15 been subjected to the interventions at issue here. *See Do No Harm Launches First National*
 16 *Database Exposing the Child Trans Industry*, Do No Harm (Oct. 8, 2024),
 17 <https://bit.ly/4f2AJPt>. Do No Harm’s proposed *amicus* brief would be helpful to the Court
 18 because it outlines the practice of evidence-based medicine, explains how the principles of
 19 evidence-based medicine demonstrate that the interventions at issue are not supported by
 20 reliable medical evidence, and assesses particular medical and scientific assertions made in
 21 Plaintiffs’ motion for a preliminary injunction. The Court should grant Do No Harm’s motion
 22 and accept its proposed *amicus* brief, a copy of which has been submitted with this motion.
 23
 24

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

Respectfully submitted, this 25th day of February, 2025.

I certify that this motion contains, 406 words, in compliance with Local Civil Rule 7(e)(3).

By: /s/ Keith Kemper

Keith Kemper, WSBA #19438
Abigail St. Hilaire, WSBA #48194
Ellis | Li | McKinstry
1700 Seventh Avenue, Suite 180
Seattle, WA 98101
Telephone: (206) 682-0565
kkemper@elmlaw.com
asthilaire@elmlaw.com

By: /s/ David H. Thompson

David H. Thompson*
Brian W. Barnes*
John D. Ramer*
Cooper & Kirk, PLLC
1523 New Hampshire Ave., NW
Washington, D.C. 20036
Telephone: (202) 220-9659
dthompson@cooperkirk.com
bbarnes@cooperkirk.com
jramer@cooperkirk.com

* *Pro hac vice* applications forthcoming

Counsel for Do No Harm, Inc., as amicus curiae

1
2
3
4 **CERTIFICATE OF SERVICE**
5
6 I hereby certify that on this 25th day of February 2025, I electronically filed the
7 foregoing document with the Clerk of the United States District Court using the CM/ECF
8 system, which will send notification of such filing to all parties who are registered with the
9 CM/ECF system.
10
11 DATED this 25th day of February 2025.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

10 */s/ Keith Kemper*
11 Keith Kemper
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27